

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: METHYL TERTIARY BUTYL
ETHER ("MTBE") PRODUCTS
LIABILITY LITIGATION

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

Civil Action

This document relates to:
Commonwealth of Puerto Rico, et al.
v.
Shell Oil Co., et al.,
Case No. 07-CIV-10470 (SAS)

**DECLARATION OF NATHAN P. SHORT IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO THE MOTION FOR SUMMARY JUDGMENT
OF THE SHELL DEFENDANTS**

Pursuant to 28 U.S.C. § 1746, NATHAN P. SHORT, hereby declares:

1. I am an attorney admitted to practice in the State of Maryland and represent plaintiff Commonwealth of Puerto Rico and Commonwealth of Puerto Rico through the Environmental Quality Board ("Plaintiff") in this action.

2. I respectfully submit this Declaration in support of Plaintiff's Opposition to the Motion for Summary Judgment of the Shell Defendants. I am of sound mind, am competent to make this declaration, am older than 21 years of age, and the facts stated in this Declaration are within my personal knowledge based on my representation of Plaintiff in this matter.

3. I have reviewed the various lists of sites at issue in this litigation and determined that there are currently 72 release sites that are or have been Shell-branded and have had MTBE detections in water and/or soil at these sites. These sites are identifiable by the following TAS numbers:

86-0340, 86-0359, 86-0378, 86-0599, 86-0608, 86-0622, 86-0624, 86-0625, 86-0627,

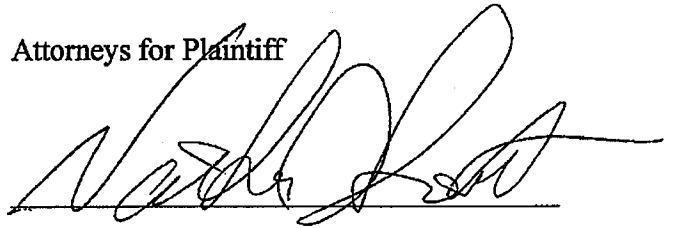
86-0630, 86-0636, 86-0641, 86-0643, 86-0645, 86-0648, 86-0664, 86-0667, 86-0676,
86-0679, 86-0680, 86-0683, 86-0685, 86-0693, 86-0707, 86-0713, 86-0841, 86-0847,
86-0849 86-0861, 86-0877, 86-0878, 86-0879, 86-0882, 86-0892, 86-0899, 86-0902,
86-0909, 86-0918, 86-0920, 86-0922, 86-0925, 86-0939, 86-0948, 86-0954, 86-0955,
86-0957, 86-0971, 86-0975, 86-0976, 86-0981, 86-0983, 86-0989, 86-0995, 86-1011,
86-1012, 86-1017, 86-1021, 86-1026, 86-1033, 86-1043, 86-1051, 86-1052, 86-1057,
91-0149, 91-0157, 91-0175, 91-0179, 91-0211, 91-0227, 91-0278, 91-0280 and 99-0018.

4. On April 5, 2012 plaintiff identified 718 release sites. *See* letter from Michael Axline, Esq. to Stephen Riccardulli, Esq. This letter can be made available upon the Court's request. On February 23, 2012, plaintiff identified 21 additional release sites. *See* letter from Aaron Dias, Esq. to Stephen Riccardulli, Esq. This letter can be made available upon the Court's request. On February 27, 2012, the Court dismissed 18 release sites. *See* Docket No. 153. On March 21, 2013, the Court dismissed 377 release sites. *See* Docket No. 193. On September 24, 2014 the dismissed Trial Site No. 1. *See* Docket No. 434. On July 16, 2014, the Court Dismissed the Maysonet Service Station and Manati Municipal Garage Trial Sites. *See* Docket No. 462. As such, there are almost 350 release sites in this case.

On the this 7th day of November 2014, pursuant to 28 U.S.C. §1746, in Rockville, MD, I declare under penalty of perjury under the laws of the United States that the above statements are true and correct to the best of my knowledge, based on personal information and belief or upon review of available business records.

LAW OFFICES OF JOHN K. DEMA, P.C.

Attorneys for Plaintiff

A handwritten signature in black ink, appearing to read 'Nathan P. Short', is written over a horizontal line.

Nathan P. Short, Esquire

PROOF OF SERVICE VIA LEXISNEXIS FILE & SERVE

Commonwealth of Puerto Rico, et al. v. Shell Oil Co., et al., United States District Court,
Southern District of New York Case No. No. 07 Civ. 10470 (SAS)

I, the undersigned, declare that I am, and was at the time of service of the paper(s) herein
referred to, over the age of 18 years and not a party to this action. My business address is 1050
Fulton Avenue, Suite 100, Sacramento, CA 95825-4225.

On the date below, I served the following document on all counsel in this action
electronically through LexisNexis File & Serve:

**DECLARATION OF NATHAN P. SHORT IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO THE MOTION FOR
SUMMARY JUDGMENT OF THE SHELL DEFENDANTS**

I declare under penalty of perjury under the laws of the United States of America and the
State of California that the foregoing is true and correct.

Executed on November 7, 2014, at Sacramento, California.


TONYA L. ZIMMERMAN